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EXAMINER

MEYERS, MATTHEW S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This action is in response to applicant's communication on 11/29/07, wherein claims 1-23 and newly added claims 26-29 are currently pending.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 27 and 29 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner is unclear as to what applicant is claiming by "commercially professional appearance". This is a relative term and it is unclear as to its scope.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
3. Claims 1 - 4, 6 - 12 and 14 - 21, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over www.adstx.com (version of website active on 6/08/2001 for pg. 1 and 8/12/2001 for pg. 2, accessed through archive.org)(hereinafter referred to as Ref. A) in view of Curiel US 5,913,543 (herein after referred to as Curiel).
4. With respect to claim 1, Ref. A discloses:
 - a. entering a name of a license applicant and a licensing agent into a computer system by a user via a user interface for obtaining a temporary license; (interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2)
 - b. determining an expiration date of the temporary license based on the current date by the computer system; (interpreted to be inherently disclosed by the teaching of the printed film that replaces hand-written information indicating the expiration date of the license)(Ref. A pg.1 para. 3)
 - c. entering a vehicle identification number into the computer system by the user via the user interface for accessing information on the identified vehicle from a database; (the reference discloses the ability of the dealership to capture and customer and vehicle information from each vehicle and owner at the time of sale, inherently disclosing the acquisition of a vehicle identification number of the vehicle to be license)(Ref. A pg.1 para, 2)
 - d. accessing information required by a regulatory agency for temporary informational placards from a database by the computer system; (interpreted to be

inherent in the disclosure of Ref. A where a dealership accesses a password protected application to input information and print off labels for the temporary vehicle license plates)(Ref. A pg. 1 para.3)

e. securing the transparent label to a substrate for completely covering a substrate surface by the user using adhesive means to form a temporary informational placard (interpreted to be the application of the clear printed film to the red tag blank)(Ref. A pg.1 para. 3)

f. positioning the temporary informational placard on the identified vehicle by the user (interpreted to be inherently disclosed, as the vehicle registration tag must be applied to the vehicle in order to be operable)(Ref. A)

g. the printing of a transparent label in a predefined format using a printer connected to the computer system and containing the temporary license expiration date. (Ref. A pg.1 para. 3)

h. Ref. A does not disclose the transparent label containing vehicle identification number and information required by regulatory agencies and accessing that information. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 - 7). Curiel also discloses "Among the types of variable data contained on this permit 31, are the state 32, the make of car 33, the model year of the car 34, the VIN number 35, the dealer identification number 36, and the date of expiration setting forth month 37, date 38, and year 39. The word "expires" appears in blocks 40 and 43 and the preprinted registration number 46 appears underlying the date.

The form will generally be preprinted and the car make 6, year 8, VIN number 10, dealer identification 12, and date of expiration 20,22,24 are applied as variable data by the end user, which will generally be the vehicle dealer.” (Curiel col. 7, lines 30-49). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

5. With respect to claim 2, Ref. A discloses:

6. entering a name of a temporary license applicant comprises selecting the name of the license applicant from a list of license applicants presented to the user via the user interface, the list of applicants accessed from a database. (interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information)(Ref. A pg. 2 para. 2)

7. With respect to claim 3, Ref. A discloses:

8. entering a name of a licensing agent comprises selecting the name of the licensing agent from a list of licensing agents presented to the user via the user interface, the list of agents accessed from a database. (interpreted to be a participating dealership logging into a password protected application on the internet to output clear printed film)(Ref. A pg. 1 para. 3).

9. With respect to claim 4, Ref. A discloses:

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10. determining an expiration date further comprises adding a time duration period of the temporary license determined by regulatory requirements to the current date. (interpreted to be the automatic 21-day calculating)(Ref. A pg. 2 para. 2).

11. With respect to claim 6, Ref A does not disclose:

12. accessing information is selected from the group consisting of accessing a temporary license applicant's driver's permit number, accessing a licensing agent's permit number, accessing a name of a vehicle dealership, accessing a permit number of a vehicle dealership, and accessing a location of a vehicle dealership. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 - 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

13. With respect to claim 7, Ref. A discloses:

14. printing a transparent label is selected from the group consisting of printing a transparent label on a laser printer and printing a transparent label on a thermal printer.

(interpreted to be the outputting via laser jet or ink jet print of clear printed film)(Ref. A pg. 1 para. 3).

15. With respect to claim 8, Ref. A discloses:

16. positioning the transparent label to a substrate comprises positioning the transparent label on a substrate by aligning label printed characters with corresponding character positions imprinted on the substrate and securing the transparent label to the substrate using weatherproof

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adhesive means. (interpreted to be inherently disclosed by way of the teaching of that the clear printed film that is applied to the red tag blank, as the disclosure of Ref. A also inherently teaches that the clear printed film is placed in such a manner as to be aligned with the characters on the tag blank and a weatherproof adhesive must be used as Ref. A inherently teaches that the tags are placed on the exterior of the vehicle and are therefore subjected to weather conditions)(Ref. A pg. 1 para. 3).

17. With respect to claim 9, Ref. A discloses: positioning the temporary informational placard is selected from the group consisting of positioning the informational placard in a license plate holder of the identified vehicle, positioning the informational placard in a window of the identified vehicle, and positioning the informational placard on a bumper of the identified vehicle. (interpreted to be inherently disclosed by Ref. A the red tags in the disclosure must be placed in at least one of the claimed locations in order to be operable)(Ref. A pg. 1 para. 3).

18. With respect to claim 10, Ref. Discloses:

i. a user interface for entering a name of a license applicant and a licensing agent into a computer system by a user for obtaining a temporary license; (interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2)

j. computer means for determining an expiration date of the temporary license based on the current date; (interpreted to be inherently disclosed by the teaching of the printed film that replaces hand-written information indicating the expiration date of the license)(Ref. A pg.1 para. 3)

- k. the user interface for entering a vehicle identification number into the computer system by the user for accessing information on the identified vehicle from a database; (the reference discloses the ability of the dealership to capture and store customer and vehicle information from each vehicle and owner at the time of sale, inherently disclosing the acquisition of a vehicle identification number of the vehicle to be license)(Ref. A pg.1 para. 2)
- l. computer means for accessing information required by a regulatory agency for temporary informational placards from a database; (interpreted to be inherent in the disclosure of Ref. A where a dealership accesses a password protected application to input information and print off labels for the temporary vehicle license plates)(Ref. A pg. 1 para.3)
- m. printer means for printing a transparent label in a predefined format using a printer connected to the computer system, the transparent label containing the temporary license expiration date, vehicle identification number and information required by the regulatory agency; (Ref. A discloses printer means for printing a transparent label using a printer connected to the computer system, and
- n. the transparent label containing the license expiration date) (Ref. A pg. 1 para. 3).
- o. Ref. A does not disclose the transparent label containing vehicle identification number and information required by regulatory agencies. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 - 7). Curiel also discloses “Among the types of variable data contained on this

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permit 31, are the state 32, the make of car 33, the model year of the car 34, the VIN number 35, the dealer identification number 36, and the date of expiration setting forth month 37, date 38, and year 39. The word "expires" appears in blocks 40 and 43 and the preprinted registration number 46 appears underlying the date. The form will generally be preprinted and the car make 6, year 8, VIN number 10, dealer identification 12, and date of expiration 20,22,24 are applied as variable data by the end user, which will generally be the vehicle dealer." (Curiel col. 7, lines 30-49). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

p. user means for securing the transparent label to a substrate for completely covering a substrate surface using adhesive means to form an informational placard; and (interpreted to be the application of the clear printed film to the red tag blank)(Ref. A pg.1 para. 3)

q. user means for positioning the temporary informational placard on the identified vehicle. positioning the informational placard on the identified vehicle by the user (interpreted to be inherently disclosed, as the vehicle registration tag must be applied to the vehicle in order to be operable)(Ref. A)

19. With respect to claim 11, Ref. A discloses:

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20. user interface for displaying a list of names of license applicants accessed from a database, a name of a temporary license applicant being selected by the user. (interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2).

21. With respect to claim 12, Ref. A discloses: User interface for displaying a list of names of licensing agents accessed from a database, a name of a licensing agent being selected by the user. (interpreted to be a participating dealership logging into a password protected application on the internet to output clear printed film)(Ref. A pg. 1 para. 3).

22. With respect to claim 14, Ref. A does not disclose:

23. information required on for temporary informational placards by a regulatory agency is selected from the group consisting of a license applicant's driver's permit number, licensing agent's permit number, name of vehicle dealership, vehicle dealership permit number, and location of vehicle dealership. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 - 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

24. With respect to claim 15, Ref. A discloses:

25. printer means is selected from the group consisting of a laser printer and a thermal printer. (interpreted to be the outputting via laser jet or ink jet print of clear printed film for application to a temporary vehicle license plate)(Ref. A pg. 1 para. 3).

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26. With respect to claim 16, Curiel discloses:

27. substrate material selected from the group consisting of paperboard, cardboard, metal and plastic. Ref. A inherently teaches the use of paper for temporary vehicle tags (interpreted to be the red dealer tags)(Ref. A pg. 1 para. 3). Curiel discloses that vehicle temporary registration tags may be made on paper, paperboard, plastic, metal or laminated materials or a vinyl or polyvinylchloride (Curiel col. 11 lines 7 - 12). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags that withstand weather conditions.

28. With respect to claim 17, Curiel discloses: the substrate is imprinted with fixed information Ref. A does not disclose that the red tag blanks may be imprinted with fixed information. Curiel does disclose the imprinting of fixed information on temporary vehicle license plates by way of teaching that temporary vehicle license plates have certain preprinted information(Curiel col. 2 lines 2 - 4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

29. With respect to claim 18, Curiel discloses:

30. the transparent label is imprinted with fixed and variable information.

(interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3). The claim would have been obvious because it is well known in the art at the time the invention was made that

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labels may contain fixed information and space upon which variable information may be printed as well. It would have been obvious to person having ordinary skill in the art at the time the invention was made to utilize a label with fixed information and then to imprint it with variable information in order to provide more efficient and economical means of printing informational placards.

31. With respect to claim 19, Ref. A discloses:

32. transparent label is imprinted with variable information. (interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3)

33. With respect to claim 20, Ref. A discloses:

34. Information placard is selected from the group consisting of a temporary license plate and a disabled parking placard. (Ref. A discloses a temporary license plate through the disclosure of dealer red tags)(Ref. A pg. 1 para. 3).

35. With respect to claim 21, Ref. A does not disclose the material of the formed informational placard. Curiel discloses a temporary vehicle license plate that is tamper resistant (Curiel col. 2 lines 58 - 64). Curiel goes on to disclose that vehicle temporary license plates may be made of materials that would be recognized by one of ordinary skill in the art at the time the invention was made to be durable and weather resistant (Curiel col. 11 lines 7 -12). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more durable, tamper resistant and weather resistant method and means for the generation of temporary vehicle license tags.

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36. With respect to claims 26 and 28, Ref. A does not disclose:

37. assessing information required by a regulatory agency comprises assessing information required by regulatory agencies of a multiplicity of state and federal jurisdictions. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 - 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags by assessing the requisite information since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

38. With respect to claims 27 and 29, Ref A discloses:

39. the informational placard provides a commercially professional appearance. (Ref A, Page 2, “creates professional tags”)

40. Claims 22, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ref. A in view of Monroe US Pub 20020036565 (hereinafter referred to as Monroe) and further in view of Curiel US 5,913,543.

41. With respect to claim 22, Ref. A discloses a computer connected to a user interface, at least one database, and a printer; a transparent label imprinted with temporary information by the printer; a substrate for securing the transparent label; the transparent label being adhesively bonded to the substrate forming an informational placard; and a vehicle for displaying the informational placard. (Ref. A pg. 1 para. 1 - 3).

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42. Ref. A does not disclose a barcode scanner associated therewith. Monroe discloses the scanning of VIN numbers into a database by way of a barcode scanner. (Monroe para. 0016). Monroe also teaches that using a barcode scanner to scan the barcode VIN of a vehicle reduces the likelihood of transmission error because manual transmission is not required. (Monroe para. 0016). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the method of barcode scanning of a VIN in light of the teaching of Monroe a method of retrieving and storing VINs by way of barcode scanning reduces the likelihood of transmission error.

43. With respect to claim 23, Ref. A discloses:

44. the imprinted information on the transparent label is selected from the group consisting of variable information, and fixed plus variable information. (interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3). The claim would have been obvious because it is well known in the art at the time the invention was made that labels may contain fixed information and space upon which variable information may be printed as well. It would have been obvious to person having ordinary skill in the art at the time the invention was made to utilize a label with fixed information and then to imprint it with variable information in order to provide more efficient and economical means of printing informational placards.

45. With respect to claim 25, the substrate contains fixed imprinted information. Ref. A does not disclose that the red tag blanks may be imprinted with fixed information. Curiel does disclose the imprinting of fixed information on temporary vehicle license plates by way of teaching that temporary vehicle license plates have certain preprinted information (Curiel col. 2

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lines 2 - 4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

46. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ref. A in view of Curiel as applied to claims 1 and 10 respectively and further in view of Monroe.

47. With respect to claims 5 and 13, Ref. A does not disclose a barcode scanner associated therewith. Monroe discloses the scanning of VINs into a database by way of a barcode scanner. (Monroe para. 0016). Monroe also teaches that using a barcode scanner to scan the barcode VIN of a vehicle reduces the likelihood of transmission error because manual transmission is not required. (Monroe para. 0016). It would have been obvious to one of ordinary skill in the art at the time of the invention to have incorporated a barcode scanner since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Response to Arguments

3. Applicant's arguments filed 11/29/08 have been fully considered but they are not persuasive. Applicant's arguments have been addressed throughout the above action, but will discuss selected arguments below.

4. With respect to applicant's argument that entering a name, determining an expiration date..., entering a vehicle identification number..., accessing information required by a regulatory agency, and positioning the temporary informational placards are not are not inherently disclosed, Examiner respectfully disagrees. In order for a temporary information placard to

comply with the information required by a regulatory agency these steps *must* be performed.

Without this information a placard could not be created.

5. With respect to applicant's argument that the present teachings in combination do not teach or disclose the label being in a predefined format determined by a regulatory agency, Examiner respectfully disagrees. Reference A discloses on page 2, that it creates professional red tags, Examiner interprets this to meet this claimed limitations since ADS is creating *professional tags*.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW S. MEYERS whose telephone number is (571)272-7943. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan Mooneyham can be reached on (571) 272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 3689

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